

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

William L. Kelley,

Plaintiff,

v.

Case No. 2:23-cv-1391

Judge James L. Graham

Magistrate Judge Deavers

Annette Chambers-Smith, *et al.*

Defendants.

Order

This matter is before the Court on the Magistrate Judge's Report and Recommendation, which recommended that plaintiff be allowed to proceed with his claims under 42 U.S.C. § 1983 against defendants Annette Chambers-Smith, Michael Laytart, and Joe Shifer. The Magistrate Judge further recommended, pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b), that plaintiff's § 1983 claims against the remainder of the defendants be dismissed, plaintiff's claims under § 1985 be dismissed, and that plaintiff's official capacity claims against all defendants be dismissed.

No objections to the Report and Recommendation have been filed. Upon review, the Court agrees with the Report and Recommendation (Doc. 3), which is hereby adopted. All claims are dismissed except for plaintiff's individual capacity claims against defendants Chambers-Smith, Laytart, and Shifer claims under § 1983.

s/ James L. Graham
JAMES L. GRAHAM
United States District Judge

DATE: July 6, 2023